

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

UNITED STATES OF AMERICA)	CASE NO. 5:18 CR 94
)	
Plaintiff,)	JUDGE: GAUGHAN
)	
-vs-)	
)	MOTION TO CONTINUE
DONTE GIBSON)	THE SENTENCING HEARING
)	
Defendant.		

Now comes the Defendant, DONTE GIBSON, by and through counsel, and respectfully moves this Honorable Court to continue the sentencing hearing scheduled on January 16, 2019.

The reason for the request is as follows: on December 21, 2018, Congress passed the First Step

Act. The new law as amended makes the following changes:

(21 USC sec. 841(b)(1)): Reduces 2-strike mandatory minimum sentences for drug offenders with one specified prior conviction from 20 years to 15 years. The 3-strikes rule, which prescribes a life sentence for two or more specified prior convictions, would instead trigger a 25-year sentence. The prior offenses that trigger these enhancements are changed from any "felony drug offense" to a "serious drug felony or serious violent felony," both of which are defined. The shortened mandatory sentences would not apply retroactively.

These changes directly affect Mr. Gibson and he requests additional time to review his previous plea agreement under the new law changes.

Respectfully submitted,,

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PROOF OF SERVICE

I hereby certify that on December 29, 2018, a copy of the foregoing Defendant's motion was filed electronically. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

/S/ RHONDA L. KOTNIK
RHONDA L. KOTNIK

